

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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UNITED STATES OF AMERICA,

Criminal No. 04-282 (JRT/FLN)

Plaintiff,

v.

**ORDER**

MOHAMAD KAMAL ELZAHABI,

Defendant.

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Anders Folk, Assistant United States Attorney, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for plaintiff.

Paul Engh, **ENGH LAW OFFICE**, 220 South Sixth Street, Suite 215, Minneapolis, MN 55402; Peter Wold and Aaron Morrison, **PETER B. WOLD, PA**, 247 Third Avenue South, Minneapolis, MN 55415, for defendant.

This matter is before the Court upon Elzahabi's motion brought in accordance with Fed. R. Crim. P. 41(g) [Docket No. 154]. Elzahabi seeks an order terminating any restrictions on his access to various bank accounts. The prosecution responds that it has not restricted Elzahabi's access to these accounts. Elzahabi now agrees that no restrictions are in effect. Accordingly, Elzahabi's motion is denied as moot. The Court adds that it finds no legal basis for preventing the Government from placing restrictions on these accounts in the future if evidence of new criminal activity emerges.

Based on all the files, records and proceedings herein, **IT IS HEREBY ORDERED** that defendant's motion is **DENIED AS MOOT**.

DATED: September 9, 2009  
at Minneapolis, Minnesota

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s/John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge